

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: SOLOMON=1R

Conf. No.: 3910

Art Unit: 1647

Examiner: C. Nichols

Washington, D.C.

January 22, 2004

RECEIVED
JAN 29 2004
TECH CENTER 1600/2300

AF



In re Application of:

Beka SOLOMON

Appln. No.: 09/441,130

Filed: November 16, 1999

For: PREVENTION OF PROTEIN
AGGREGATION

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated August 22, 2003, of the Primary Examiner. The claims appealed are claims 1-4 and 126-149.

The item(s) checked below are appropriate:

Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

XXX The fee has been calculated as shown below:

XXX \$330.00

\$165.00 (small entity)

Not required (fee paid in prior appeal)

XXX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within

[] First - \$ 55.00

[] Second - \$210.00

[] Third - \$475.00

[] Fourth - \$740.00

month after time period set

Other Than Small Entity
Response Filed Within

[] First - \$ 110.00

[X] Second - \$ 420.00

[] Third - \$ 950.00

[] Fourth - \$1480.00

month after time period set

[] Less fees (\$) already paid for months extension of time on

A check in the amount of \$ is attached. (Check No.)

XXX Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 750.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

01/23/2004 HDEMESS1 00000056 09441130

01 FC:1401 330.00 DP

01/23/2004 HDEMESS1 00000056 09441130

02 FC:1252 420.00 DP

Telephone No.: (202) 628-5197

Facsimile No.: (202) 737-3528

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By:

Roger L. Browdy
Registration No. 25,618